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18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION
21

22 HEROES CLUB, INC., a California Corporation,
23 Plaintiff,
24 v.
25 UNITED PARCEL SERVICE, INC., and DOES
1-50,
26 Defendants.
27

Case No. 07-4422 JCS

**STIPULATION AND
[PROPOSED] ORDER
REGARDING BRIEFING
SCHEDULE**

1 WHEREAS, Defendant United Parcel Service, Inc. filed a Motion for Judgment on the
2 Pleadings, which was rescheduled for hearing by the Court's November 14, 2007 Order to
3 February 8, 2008 at 9:30 a.m.;

4 WHEREAS, by its November 14, 2007 Order, the Court issued a briefing schedule
5 requiring the opposition to be filed by November 30, 2007, and reply brief to be filed by
6 December 14, 2007, and

7 WHEREAS, Plaintiff filed its opposition on November 30, 2007, and

8 WHEREAS, the parties desire to extend the time for UPS to file a reply brief to
9 December 31, 2007, to allow the parties an opportunity to discuss potential resolution of the
10 plaintiff's complaint;

11 WHEREAS, the parties have agreed, subject to Court approval, to extend the briefing
12 schedule to allow Defendant to file its reply papers on or before December 31, 2007;

13 IT IS HEREBY STIPULATED by and between the parties, through their counsel of
14 record, to request that the Court order that Defendant's reply brief shall be filed by December 31,
15 2007.

16 IT IS SO STIPULATED.

17 Dated: December 6, 2007

18 PAUL T. FRIEDMAN
19 ANNEMARIE C. O'SHEA
20 SARA MAHDAVI
21 MORRISON & FOERSTER LLP

22 By: /s/ Paul T. Friedman
23 Paul T. Friedman

24 Attorneys for Defendant
25 UNITED PARCEL SERVICE, INC.
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1 Dated: December 6, 2007

JAMES C. STURDEVANT
MARK T. JOHNSON
ALEXUIS MARKWALDER
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9 By: /s/ Mark T. Johnson
Mark T. Johnson

10 Attorneys for Plaintiff
11 HEROES CLUB, INC.

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15 I, Paul T. Friedman, am the ECF user whose ID and password are being used to file this
16 Stipulation. In compliance with General Order 45, I hereby attest that Mark T. Johnson, counsel
17 for Plaintiff, has concurred in this filing.

18 Dated: December 6, 2007

19
20 By: /s/ Paul T. Friedman
Paul T. Friedman

21 Attorneys for Defendant
22 UNITED PARCEL SERVICE, INC.

[~~PROPOSED~~] ORDER

PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING, IT IS SO
ORDERED.

DATED: 12/07, 2007

